

CHARLES CARREON, ESQ. (127139)
2165 S. Avenida Planeta
Tucson, Arizona 85710
Tel: 520-841-0835
Fax: 520-843-2083
Email: chas@charlescarreon.com

Attorney for Plaintiff iCall, Inc.

JOHN C. KIRKE, #175055
SOPHIA E.C. SCHWARTZ, #272915
DONAHUE GALLAGHER WOODS LLP
Attorneys at Law
1999 Harrison Street, 25th Floor
Oakland, California 94612-3520
P.O. Box 12979
Oakland, California 94604-2979
Telephone: (510) 451-0544
Facsimile: (510) 832-1486

Attorneys for Defendants TRIBAIR, INC.
and ERIC REIHER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ICALL, INC.,

Plaintiff,

v.

TRIBAIR, INC., ERIC REIHER and
DOES 1-5,

Defendants.

CASE NO. CV 12-2406 EMC

**MOTION TO AMEND COMPLAINT
PURSUANT TO STIPULATION**

[LOCAL RULE 6-1]

Pursuant to F.R.Civ.P. 15(a)(2), Plaintiff iCall, Inc. ("Plaintiff") and Defendants Tribair, Inc. and Eric Reiher (collectively, "Defendants") and by and through their respective undersigned attorneys, hereby stipulate as follows:

WHEREAS, the Complaint in this action was filed on May 11, 2012;

WHEREAS, Plaintiff has proposed to file a First Amended Complaint ("FAC") adding a single Claim for Relief for infringement of a California Service Mark, designated as the Fourth Claim for Relief;

1 THERFORE, IT IS HEREBY STIPULATED:

2 That Plaintiff be granted leave of Court to file the FAC in the form submitted herewith;

3 That Defendants be granted thirty (30) days from the date of filing to file an amended
4 answer to address the allegations of the FAC.

5 IT IS SO STIPULATED.

6
7 Dated: August 30, 2012

CHARLES CARREON, ESQ.

8
9 By: /s/Charles Carreon

Charles Carreon

Attorney for Plaintiff iCall, Inc.

10
11 Dated: August 30, 2012

DONAHUE GALLAGHER WOODS LLP

12
13
14 By: /s/John C. Kirke

John C. Kirke

Attorneys for Defendants TRIBAIR, INC. and
ERIC REIHER

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that the concurrence in the filing of this document from all the signatories for whom a signature is indicated by a “conformed” signature (/s/) within this e-filed document was obtained and I have on file records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request.

Dated: August 30, 2012

By: /s/Charles Carreon
Charles Carreon